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APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO:	CONFIRMATION NO.	
10/045,441	11/07/2001		Heinz Fabian	52201-0607	4283	
28481	7590	01/20/2004		EXAMINER		
TIAJOLOFF & KELLY CHRYSLER BUILDING, 37TH FLOOR			MEEKS, TIMOTHY HOWARD			
405 LEXINGTON AVENUE				ART UNIT	PAPER NUMBER	
NEW YORK	, NY 1	0174		1762		

1762 DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Application No.   Application No.   10/045,441   Examiner   Art Unit   Examiner   Art Unit   Timothy H. Meeks   1762   Timothy H					AS	
Notice of Allowability    Examiner		Application No. Applicant(s)				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included nerewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.  1. ☑ This communication is responsive to the amendment of 12 November 2003 and 19 November 2003 IDS.  2. ☑ The allowed claim(s) is/are 19-21,26-30 and 40-47.  3. ☑ The drawings filed on 07 November 2001 are accepted by the Examiner.  4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  3. ☑ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:  5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application has been received.  6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted				FABIAN, HEINZ		
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7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.					NOTICE OF	
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  1) ☐ hereto or 2) ☐ to Paper No  (b) ☐ including changes required by the proposed drawing correction filed.	<ul><li>(a) ☐ including changes required by the Notice of Draft</li><li>1) ☐ hereto or 2) ☐ to Paper No</li></ul>	tsperson's Patent Drawing	•	·		

(c) Including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of

9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

Attacnment(s)	

1 Notice of References Cited (PTO-892)

- 2 Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3⊠ Information Disclosure Statements (PTO-1449 or PTO/SB/08). Paper No. 1103
- 4☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5☐ Notice of Informal Patent Application (PTO-152)
- 6 Interview Summary (PTO-413), Paper No.\_\_\_\_.
- 7⊠ Examiner's Amendment/Comment
- 8 Examiner's Statement of Reasons for Alloy

9☐ Other

Timothy H. Meeks Primary Examiner Art Unit: 1762

Application/Control Number: 10/045,441

Art Unit: 1762

## **EXAMINER'S COMMENT**

This supplemental Notice of Allowability is being mailed to acknowledge the Information Disclosure Statement filed on 19 November 2003. Said IDS was not present in the application record at the time the 10 December 2003 Notice of Allowability was processed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy H. Meeks whose telephone number is 571-272-1423. The examiner can normally be reached on Mon., Tues., Thurs.(6-6:30), Fri.(6:30-10:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P. Beck can be reached on 571-272-1415. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Timothy H. Meeks Primary Examiner Art Unit 1762